MAY 2004

ORGANIZATIONAL CONFLICT OF INTEREST (OCI) MITIGATION PLANS

(See FAR 9.5, Supplements thereto, the SMC Contracting Directive, and the Buyers Handbook)

The specific OCI issues and the techniques used to mitigate the risk of OCI are different for each contract action. However, the following mitigation techniques have been effective in different situations and should be considered when reviewing the Contractor's risk mitigation plan. This list is not meant to be definitive, as each OCI situation must be analyzed according to the particular facts and circumstances.

   a. Are organizational charts included with the OCI Mitigation Plan that show the company's corporate structure and highlight elements of the company participating in the contract?

   b. Do the organizational charts and the OCI Mitigation Plan demonstrate how the elements performing the proposed effort will be isolated from the remainder of the company?

   c. Does the Contractor describe how information, whether in hard copy or on electronic media, will be stored and destroyed in order to preclude a transfer of information?

   d. Does the Contractor describe how computer networks and servers will be protected to prevent unauthorized transfer of information?

   e. Do management reporting chains demonstrate that the proposed effort and decisions related to the effort will be isolated from the remainder of the company?

   f. In the case of companies performing both systems engineering and integration (SE&I) or manpower support efforts and related development efforts via separate contracts, does the company address how it will preclude a perception of impaired objectivity by prohibiting transfers of personnel between the contracts?

   g. Will the organizational element performing the proposed effort be geographically or physically separated from the remainder of the company?

   h. What techniques will the company use to mitigate the perception that it will favor its own products or services?

   i. If the company is an integrating contractor, will the Government have both insight and oversight into all key processes?

j. Does management outside the mitigated organization have access to key decisions for which the mitigated organization is responsible?

k. Is there a requirement for personnel to sign non-disclosure agreements?

l. Does the plan include personnel reassignment restrictions for individuals who retire or leave the program for any reason?

m. Do subcontractors have appropriate mitigation procedures in place?

n. Is there a requirement for periodic self-audits that will be made available to the government?

o. Does the plan provide for initial and periodic refresher OCI training for contractor personnel working on the contract?

p. Does the plan indicate whether initial OCI training will occur before contractor personnel have access to information that needs to be protected?